

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Tonya Latney,
5 Plaintiff

6 v.

7 Karla Ruggiero, et al.,
8 Defendants

Case No.: 2:17-cv-01748-JAD-GWF

**Order Adopting Report and
Recommendation and Dismissing Title VII
Claim**

[ECF No. 2]

9 Pro se plaintiff Tonya Latney sues her former employer for firing her after an alleged
10 miscommunication. Latney was a traveling case manager through United Staffing Solutions, and
11 she reported to work at Spring Valley Hospital on November 5, 2015. But her supervisor called
12 and told her that she was supposed to report to Centennial Hospital instead. After she was
13 terminated for refusing to report to Centennial Hospital, Latney sued for wrongful termination,
14 breach of contract, and racial discrimination under Title VII.

15 Because Latney applied to proceed *in forma pauperis*,¹ Magistrate Judge Hoffman
16 screened her complaint.² He recommends that I dismiss Latney's Title VII claim against
17 defendants Karla Ruggiero and Robert Freymuller with prejudice because these individuals
18 cannot be held liable under Title VII and amendment would be futile.³ Judge Hoffman issued
19 his recommendation on July 2, 2018, making July 16, 2018, the deadline to file objections. That
20 deadline has come and gone, and Latney has not objected. "[N]o review is required of a
21 magistrate judge's report and recommendation unless objections are filed."⁴

22 Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Hoffman's report and
23 recommendation [ECF No. 2] is **ACCEPTED and ADOPTED**. Latney's Title VII racial-

24 ¹ ECF No. 1.


25 ² ECF No. 2.

26 ³ *Id.* at 4.

27 ⁴ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also United States v.*
28 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 discrimination claim against individual defendants Ruggiero and Freymuller is **DISMISSED**
2 **with prejudice because amendment would be futile.**

3 Dated: July 18, 2018

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5 U.S. District Judge Jennifer A. Dorsey
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